



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456



February 15, 2002

COPY

**Certified Mail
Return Receipt Requested**

**Letter of Deficiency
No. WMD 02-08**

Marcus Worden
Hinsdale Greyhound Park
P.O. Box 27
Hinsdale, NH 03451

Re: SWC 02-008; Brattleboro Road, Hinsdale, NH

Dear Mr. Worden:

On February 7, 2002, the Department of Environmental Services, Waste Management Division (DES) conducted an inspection of the Hinsdale Greyhound Park (Hinsdale GP) located on Brattleboro Road, Hinsdale, NH (Site). The purpose of the inspection was to determine Hinsdale GP's compliance status with RSA 149-M and rules adopted pursuant thereto relative to the proper disposal of solid waste.

During the inspection, DES observed or learned the following:

1. At Site #1 (see attached aerial photograph of the Site), approximately 10 cubic yards of solid waste consisting of, but not limited to, dog kennel debris, a rug, a couch, and construction and demolition debris.
2. At Site #2, solid waste scattered over a 150 foot by 150 foot area, consisting of, but not limited to, construction and demolition debris, copper tubing, washing machines, hot water tanks, and dish washers. DES estimates that there is 50 cubic yards of solid waste at Site #2.
3. During the inspection, DES informed Hinsdale GP personnel that the solid waste would need to be removed to a permitted solid waste facility. DES staff issued a Report of Initial Complaint Investigation ("RICI") to Hinsdale GP on February 7, 2002, instructing them remove all solid waste located at the Site to a permitted solid waste facility.
4. Due to large amounts of ground ice, DES was not able to inspect the entire Site. DES advised Hinsdale GP to clean up any additional areas of solid waste at the Site.

This letter serves to inform you that the above referenced Site conditions constitute violations of RSA 149-M, specifically:

RSA 149-M:9, I Operating an unpermitted solid waste facility.

RSA 149-M:9, II Transporting solid waste to an unpermitted solid waste facility.

RSA 149-M:9, II Disposing of solid waste at an unpermitted solid waste facility.

DES believes that the cited deficiencies can be corrected by completing the following requested remedial actions within the time indicated:

- 1 **Immediately** cease operating an unpermitted solid waste facility.
- 2 **Immediately** cease transporting solid waste to an unpermitted solid waste facility.
- 3 **Immediately** cease disposing of solid waste at an unpermitted solid waste facility.
4. Remove all solid waste at the Site by **May 15, 2002**, to a solid waste facility permitted to handle such wastes.
5. **By June 1, 2002**, submit to DES written confirmation that these steps have been completed, including copies of all disposal receipts for the solid waste, at the address below.

Please address all correspondence and reports regarding this matter to

DES, WMD
6 Hazen Drive
Concord, New Hampshire 03301-6507

Attention: Kenneth W. Marschner

In the event compliance is not achieved within the time period indicated above, DES may initiate formal enforcement action against Hinsdale GP, including issuing an order requiring the deficiencies to be corrected and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. DES reserves the right to pursue administrative fines for the violation(s) noted above.

Your prompt cooperation is appreciated. Please contact George Carrigan at (603) 271-3899 if you have any questions or need further assistance.

Sincerely,

 **COPY**

Kenneth W. Marschner
Administrator
Waste Management Programs

Certified Mail RRR#: 7099 3400 0002 9769 7365

CC: DB/Town/File
Philip J. O'Brien, Ph.D., Director, WMD
Gretchen Rule, Enforcement Coordinator, DES
Town Clerk, Hinsdale, NH

Enclosure: Aerial Photograph